

~~SECRET~~b6
b7C

(OGC) (FBI)

From: [REDACTED] (OGC) (FBI)

Sent: Wednesday, December 01, 2004 9:38 AM

To: [REDACTED] (CTD) (FBI)

(S) Subject: RE: NSL [REDACTED]

b1

~~SECRET~~
~~RECORD~~

(S)

*"attachment" is
attached to*

b6

b7C

*email 11/30/04 3:36 pm
(info)*

thanks for the info. The attachment you have [REDACTED]

b4
b7D
b2
b7E
b5
b6
b7C

Also [REDACTED] unless Spike told you otherwise [REDACTED]

thanks [REDACTED]

-----Original Message-----

From: [REDACTED] (CTD) (FBI)

Sent: Tuesday, November 30, 2004 3:36 PM

To: [REDACTED] (OGC) (FBI)

(S) Subject: NSL [REDACTED]

Importance: High

(S) ~~SECRET~~
~~RECORD~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 07-11-2007

CLASSIFIED BY: 65179 DMH/TAM/KSP/JE

REASON: 1.4 (c)

DECLASSIFY ON: 07-11-2032

6/5/2006

NSL VIO-2440

~~SECRET~~

b6
b7C

~~SECRET~~

[redacted]
Last time we spoke you requested [redacted]
[redacted] Attached is a sample [redacted] As a result of our discussion with Spike
[redacted] Bowman [redacted]
[redacted]

b6
b7C
b4
b7D
b5
b2
b7E

(S)



If you have any further questions please feel free to contact me.

b6
b7C
b2

[redacted]
Communications Analysis Unit
FBIHQ - Room 4315
202- [redacted] (work)
[redacted]
202-324 [redacted]
202-324 [redacted]
[redacted]@fb [redacted]

~~DERIVED FROM: G-1 FBI Classification Guide G-1, dated 1/99, Foreign Government Information~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~DERIVED FROM: G-1 FBI Classification Guide G-1, dated 1/99, Foreign Government Information~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~SECRET~~

6/5/2006

NSL VIO-2441

~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~SECRET~~

6/19/2006

NSL VIO-2443

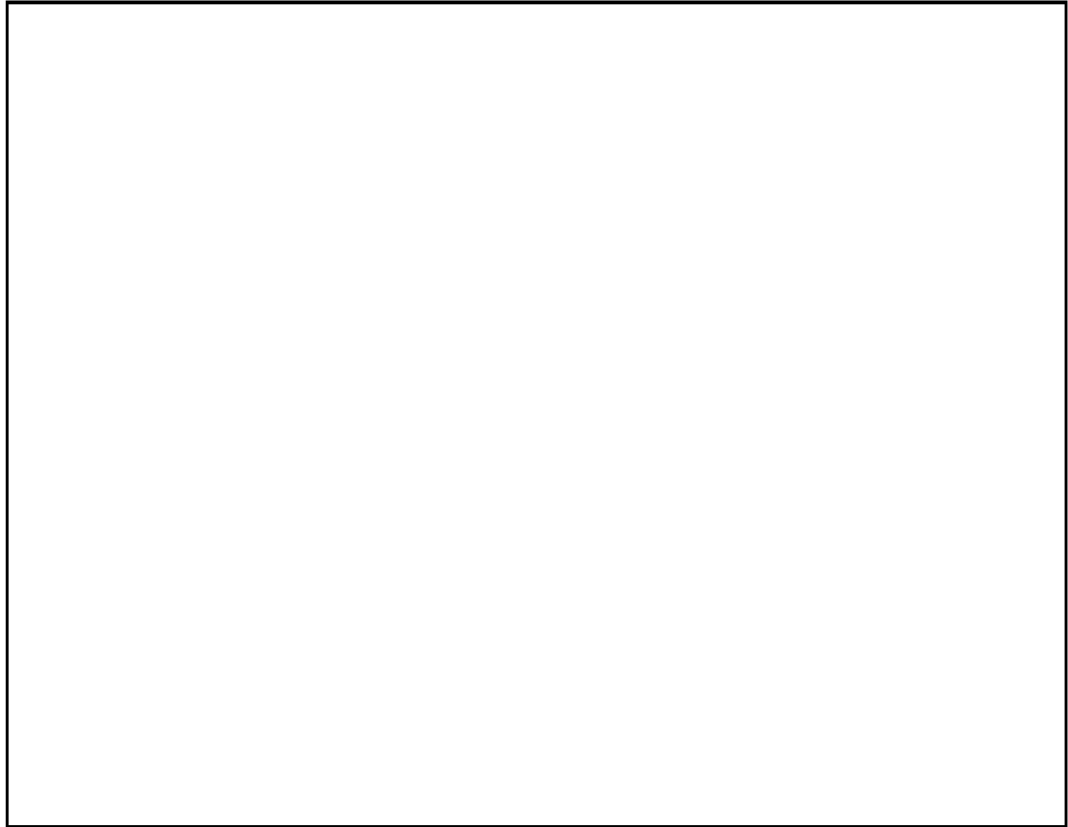
~~SECRET~~

~~SECRET~~

Page 3

ATTACHMENT

In preparing your response to this request, you should determine whether your company maintains the following types of information which may be considered by you to be toll billing records in accordance with Title 18, United States Code, Section 2709:



b2
b7E

We are not requesting, and you should not provide, information pursuant to this request that would disclose the content of any electronic communication as defined in Title 18, United States Code, Section 2510(3).

NSL VIO-2444

~~SECRET~~

~~SECRET~~

[REDACTED] (OGC) (FBI)

From: [REDACTED] (OGC) (FBI)

Sent: Tuesday, December 14, 2004 12:54 PM

To: BOWMAN, MARION E. (OGC) (FBI)

Cc: [REDACTED] (OGC) (FBI)

Subject: RE: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

(S)

b1
b5
b6 (S)
b7C

-----Original Message-----

From: [REDACTED] (OGC) (FBI)

Sent: Tuesday, December 14, 2004 12:38 PM

To: BOWMAN, MARION E. (OGC) (FBI)

Cc: [REDACTED] (OGC) (FBI)

Subject: NSLs

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5
b7D
b4
b2
b7E
b6
b7C

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

DATE: 07-11-2007
CLASSIFIED BY: 69179 DMH/TAM/KSP/JE
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2033

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

6/1/2006

NSL VIO-2445

~~SECRET~~

[REDACTED] (OGC) (FBI)

b6
b7C

From: [REDACTED] (OGC) (FBI)
Sent: Thursday, December 16, 2004 9:35 AM
To: BOWMAN, MARION E. (OGC) (FBI)
Subject: RE: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

how are you feeling? are you okay?

-----Original Message-----

From: BOWMAN, MARION E. (OGC) (FBI)
Sent: Thursday, December 16, 2004 9:28 AM
To: [REDACTED] (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: RE: NSLs

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5

[REDACTED]

-----Original Message-----

From: [REDACTED] (OGC) (FBI)
Sent: Tuesday, December 14, 2004 12:54 PM
To: BOWMAN, MARION E. (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: RE: NSLs

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

(S)

b1
b5
b6
b7C

(S)

[REDACTED]

-----Original Message-----

From: [REDACTED] (OGC) (FBI)
Sent: Tuesday, December 14, 2004 12:38 PM
To: BOWMAN, MARION E. (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: NSLs

b6
b7C

SENSITIVE BUT UNCLASSIFIED

DATE: 07-11-2007
CLASSIFIED BY: 65179 DMH/TAM/KSR/JE
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2032

6/1/2006

NSL-VIO-2446

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NON-RECORD

~~SECRET~~



b5
b7D
b4
b2
b7E
b6
b7C

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

6/1/2006

~~SECRET~~ NSL VIO-2447

~~SECRET~~

[REDACTED] (OGC) (FBI)

b6
b7C
From: [REDACTED] (OGC) (FBI)
Sent: Thursday, December 16, 2004 9:43 AM
To: BOWMAN, MARION E. (OGC) (FBI); [REDACTED] (OGC) (FBI)
Subject: RE: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Do you both agree that it is worthwhile to send an email around to NSLs [REDACTED]

b5
b1
b2
b7E
b6
b7C
'S) [REDACTED]
[REDACTED]
[REDACTED] - being the policy man, are you okay with Spike's take, with which I am comfortable [REDACTED]

-----Original Message-----

b6
b7C
From: BOWMAN, MARION E. (OGC) (FBI)
Sent: Thursday, December 16, 2004 9:27 AM
To: [REDACTED] (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: RE: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5

-----Original Message-----

b6
b7C
From: [REDACTED] (OGC) (FBI)
Sent: Tuesday, December 14, 2004 12:38 PM
To: BOWMAN, MARION E. (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5
b7D
b4
b2
b7E
b6
b7C

DATE: 07-11-2007
CLASSIFIED BY: 65179 DMH/TAM/KSR/JE
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

6/1/2006

NSL VIO-2448

~~SECRET~~

SENSITIVE BUT UNCLASSIFIED

~~SECRET~~

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

6/1/2006

NSL VIO-2449
~~SECRET~~

[redacted] (OGC) (FBI)

From: [redacted] (OGC) (FBI)

Sent: Monday, March 07, 2005 11:18 AM

To: [redacted] (CTD) (FBI); [redacted] (CTD) (FBI)

Cc: [redacted] (CTD) (FBI); [redacted] (OGC) (FBI);
[redacted] (OGC) (FBI)

Subject: CAU telephone NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

At the CDC conference, I informed the CDCs [redacted]

[redacted]

Please give me your thoughts.

thanks. [redacted]

p.s. [redacted] OGC still hasn't heard from you [redacted]

[redacted]
[redacted] thanks

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JE

6/1/2006

NSL VIO-2450

b6
b7C

[REDACTED] (OGC) (FBI)

~~SECRET~~

From: [REDACTED] (OGC) (FBI)
Sent: Thursday, December 16, 2004 10:45 AM
To: BOWMAN, MARION E. (OGC) (FBI)
Subject: RE: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b1
b5 (S)
b6
b7C

-----Original Message-----

From: BOWMAN, MARION E. (OGC) (FBI)
Sent: Thursday, December 16, 2004 10:25 AM
To: [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI)
Subject: RE: NSLs

b6
b7C
b5

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----

From: [REDACTED] (OGC) (FBI)
Sent: Thursday, December 16, 2004 9:43 AM
To: BOWMAN, MARION E. (OGC) (FBI); [REDACTED] (OGC) (FBI)
Subject: RE: NSLs

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Do you both agree that it is worthwhile to send an email around to NSLB [REDACTED]

(S)

b1
b5
b6
b7C
b2
b7E

[REDACTED] being the policy man, are you okay with Spike's take, with which I am comfortable [REDACTED]

-----Original Message-----

From: BOWMAN, MARION E. (OGC) (FBI)
Sent: Thursday, December 16, 2004 9:27 AM
To: [REDACTED] (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)

b6
b7C

DATE: 07-11-2007
CLASSIFIED BY: 65179 DMH/TAM/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2032

6/1/2006

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-2451

~~SECRET~~

Subject: RE: NSLs

~~SECRET~~

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5



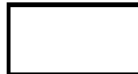
-----Original Message-----

b6
b7C

From: [REDACTED] (OGC) (FBI)
Sent: Tuesday, December 14, 2004 12:38 PM
To: BOWMAN, MARION E. (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5
b7D
b4
b2
b7E
b6
b7C



SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

~~SECRET~~

6/1/2006

NSL VIO-2452

[Redacted]

(OGC) (FBI)

~~SECRET~~

b6
b7C

From: BOWMAN, MARION E. (OGC) (FBI)
Sent: Thursday, December 16, 2004 10:25 AM
To: [Redacted] (OGC) (FBI) [Redacted] (OGC) (FBI)
Subject: RE: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5

[Redacted]

-----Original Message-----

b6
b7C

From: [Redacted] (OGC) (FBI)
Sent: Thursday, December 16, 2004 9:43 AM
To: BOWMAN, MARION E. (OGC) (FBI) [Redacted] (OGC) (FBI)
Subject: RE: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Do you both agree that it is worthwhile to send an email around to NSLB [Redacted]

(S)

b5
b1
b2
b7E
b6
b7C

[Redacted]
[Redacted] being the policy man, are you okay with Spike's take, with which I am comfortable [Redacted]
[Redacted]

-----Original Message-----

b6
b7C

From: [Redacted] (OGC) (FBI)
Sent: Thursday, December 16, 2004 9:27 AM
To: [Redacted] (OGC) (FBI)
Cc: [Redacted] (OGC) (FBI)
Subject: RE: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5

[Redacted]

-----Original Message-----

b6
b7C

From: [Redacted] (OGC) (FBI)
Sent: Tuesday, December 14, 2004 12:38 PM
To: BOWMAN, MARION E. (OGC) (FBI)
Cc: [Redacted] (OGC) (FBI)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

6/19/2006

DATE: 07-11-2007
CLASSIFIED BY 65179 DMH/TAM/KSR/JE
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2032

NSL VIO-2453

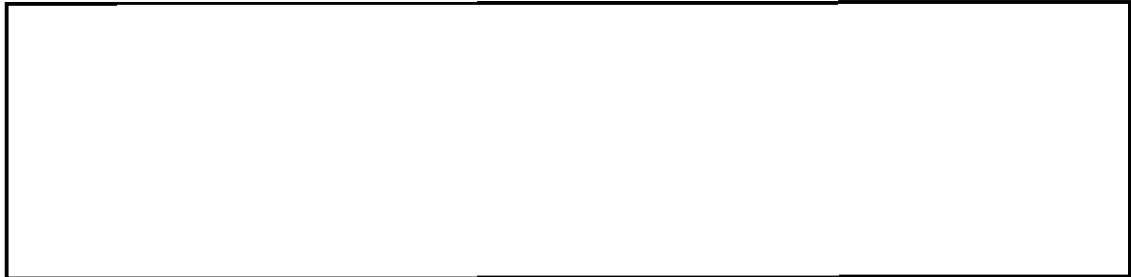
~~SECRET~~

Subject: NSLs

~~SECRET~~

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5
b7D
b4
b2
b7E
b6
b7C



SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

6/19/2006

~~SECRET~~ VIO-2454

~~SECRET~~

Message

Page 1 of 2

[REDACTED] (OGC) (FBI)

From: BOWMAN, MARION E. (OGC) (FBI)
Sent: Thursday, December 16, 2004 9:28 AM
To: [REDACTED] (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: RE: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----

From: [REDACTED] (OGC) (FBI)
Sent: Tuesday, December 14, 2004 12:54 PM
To: BOWMAN, MARION E. (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: RE: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----

From: [REDACTED] (OGC) (FBI)
Sent: Tuesday, December 14, 2004 12:38 PM
To: BOWMAN, MARION E. (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

DATE: 07-11-2007
CLASSIFIED BY: 65179 DMH/TAM/KSP/JE
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2032

HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-2455

~~SECRET~~

6/19/2006

~~SECRET~~

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

~~SECRET~~

NSL VIO-2456

[redacted] (OGC) (FBI)

From: [redacted] (FBI)

Sent: Wednesday, December 22, 2004 8:18 AM

To: [redacted] (OGC) (FBI)

Cc: [redacted] (OGC) (FBI)

Subject: CTD SSA advice re NSL language

b6
b7C

*1 document attached
4/24/06*

**SENSITIVE BUT UNCLASSIFIED
NON-RECORD**

[redacted]

[redacted]

b5
b1
b4
b7D
b2 }
b7E
b6
b7C

(S)

SENSITIVE BUT UNCLASSIFIED

DATE: 07-11-2007
CLASSIFIED BY: 65179 DMH/TAM/KSP/JB
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~ NSL VIO-2457

6/19/2006

b5
b2
b7E
b4
b7D

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JE

[REDACTED] (OGC) (FBI)

b6 From: [REDACTED] (OGC) (FBI)
 b7C Sent: Thursday, December 23, 2004 10:20 AM
 To: [REDACTED] (OGC) (FBI)
 Subject: FW: ECPA NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5 This email came as a result of my request to CAU [REDACTED]
 b6
 b7C [REDACTED]

b7D -----Original Message-----

b4 From: [REDACTED] (CTD) (CON)
 Sent: Monday, November 22, 2004 9:31 AM
 To: [REDACTED] (OGC) (FBI)
 b6 Cc: [REDACTED] (CTD) (FBI)
 b7C Subject: RE: ECPA NSLs

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[REDACTED]

b6
 b7C
 b2
 b7E

Hope this satisfies your request. If you have any questions or need additional information, please contact me at 202-324-[REDACTED]

b6 Thank you.
 b7C [REDACTED]

-----Original Message-----

b6 From: [REDACTED] (OGC) (FBI)
 b7C Sent: Friday, November 19, 2004 12:53 PM

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JB

NSL VIO-2459

6/19/2006

b6 To: [redacted] (CTD) (CON)
b7C Subject: FW: ECPA NSLs
Importance: High

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5 Can you put something in writing [redacted]
b7D [redacted]
b4 [redacted]
b2 [redacted]
b7E [redacted]
b6 [redacted]
b7C [redacted]

thanks [redacted]

-----Original Message-----

From: [redacted] (CTD) (FBI)
Sent: Friday, November 19, 2004 12:13 PM
To: [redacted] (OGC) (FBI)
Cc: [redacted] (CTD) (CON); [redacted] (CTD) (FBI)
Subject: RE: ECPA NSLs
Importance: High

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6 [redacted]
b7C [redacted]
b5 [redacted]
b4 [redacted]
b7D [redacted]
b2 [redacted]
b7E [redacted]

If you have any further questions please let me know.

[redacted]
Communications Analysis Unit
FBIHQ - Room 4315
202 [redacted] (work)
[redacted]
202-324 [redacted] (Non secure fax)
202-324 [redacted] (Secure fax)
[redacted]@fbi [redacted]

-----Original Message-----

From: [redacted] (OGC) (FBI)
Sent: Friday, November 19, 2004 11:16 AM
To: [redacted] (CTD) (FBI)
Subject: ECPA NSLs

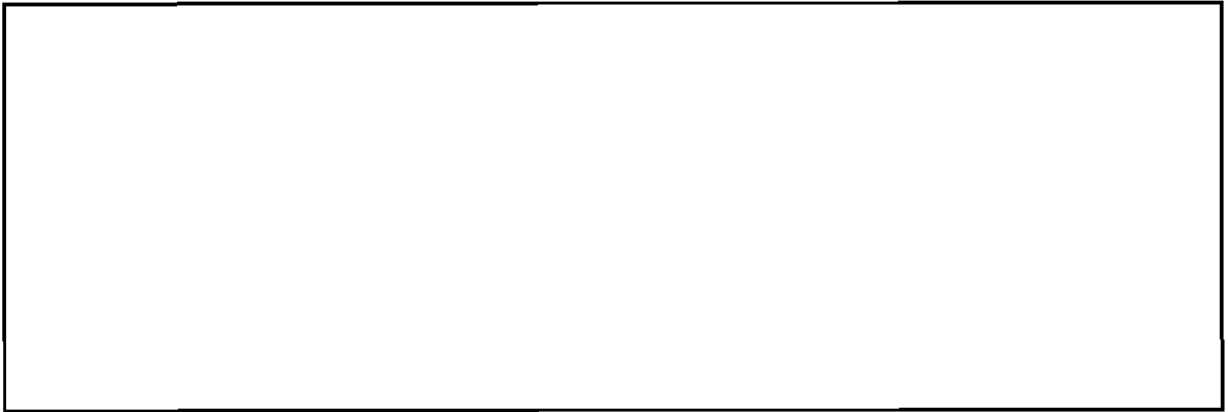
SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6 [redacted]
b7C [redacted]
b5 [redacted]

NSL VIO-2460

6/19/2006

b5
b7D
b4
b2
b7E



b6
b7C

thanks



SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

~~SECRET~~

[Redacted]

(OGC) (FBI)

From: [Redacted] (OGC) (FBI)
Sent: Friday, December 23, 2005 11:52 AM
To: [Redacted] (OGC) (FBI)
Subject: RE: [Redacted]

b6
b7C
b5

SECRET//NOFORN
RECORD 66f

Thanks for responding--I'll handle this from my end.

-----Original Message-----

From: [Redacted] (OGC) (FBI)
Sent: Friday, December 23, 2005 11:49 AM
To: [Redacted] (OGC) (FBI)
Subject: RE: [Redacted]

b6
b7C
b5

SECRET//NOFORN
RECORD 66f

[Redacted]

b5
b6
b7C

-----Original Message-----

From: [Redacted] (OGC) (FBI)
Sent: Wednesday, December 21, 2005 10:02 AM
To: [Redacted] (OGC) (FBI)
Subject: FW: [Redacted]
Importance: High

b6
b7C
b5

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE

SECRET//NOFORN
RECORD 66f

DATE: 07-11-2007
 CLASSIFIED BY: 65179 DMH/TAN/KSR/JE
 REASON: 1.4 (c)
 DECLASSIFY ON: 07-11-2032

[Redacted]

[Redacted]

b6
b7C
b5

Thanks,

[Redacted]

-----Original Message-----

From: [Redacted] (CTD) (FBI)
Sent: Wednesday, December 21, 2005 9:53 AM
To: [Redacted] (OGC) (FBI)
Cc: [Redacted] (CTD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (OGC) (FBI)

b6
b7C

NSL VIO-2462

6/2/2006

~~SECRET~~

~~SECRET~~

b5

Subject: RE [REDACTED]
Importance: High

SECRET//NOFORN
RECORD 66f

Good morning [REDACTED]

[REDACTED]

(S)

b6
b7C
b5
b1
b2
b7E

Please advise. Happy holidays.

Thanks,

[REDACTED]

-----Original Message-----

From: [REDACTED] (CTD) (FBI)
Sent: Thursday, December 01, 2005 1:38 PM
To: [REDACTED] (OGC) (FBI)
Cc: [REDACTED] (CTD) (FBI); [REDACTED] (DE) (FBI); [REDACTED]
T. (CTD) (FBI)
Subject: [REDACTED]

SECRET//NOFORN
RECORD 66f

Hello [REDACTED]

[REDACTED]

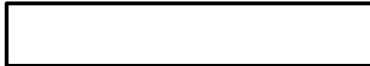
b6
b7C
b5

NSL VIO 2463

6/2/2006

~~SECRET~~

~~SECRET~~



Your thoughts.

Thanks,



b5
b6
b7C

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20301201~~
~~SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20301201~~
~~SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20301201~~
~~SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20301201~~
~~SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20301201~~
~~SECRET//NOFORN~~

~~SECRET~~

NSL VIO-2464

[redacted] (OGC) (FBI)

From: [redacted] (OGC) (FBI)

Sent: Wednesday, December 22, 2004 11:53 AM

To: [redacted] (OGC) (FBI)

Subject: FW: CTD SSA advice re NSL language

b6
b7C

*1 document attached
1/19/06*

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] let's discuss this. Thanks.

-----Original Message-----

From: [redacted] (FBI)

Sent: Wednesday, December 22, 2004 8:18 AM

To: [redacted] (OGC) (FBI)

Cc: [redacted] (OGC) (FBI)

Subject: CTD SSA advice re NSL language

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

b6
b7C
b5
b1
b7D
b4
b2
b7E

(S)

(S)

DATE: 07-11-2007
CLASSIFIED BY 65179 DMH/TAM/KSR/JE
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

SENSITIVE BUT UNCLASSIFIED

NSL VIO-2465

6/19/2006

~~SECRET~~

~~SECRET~~

SENSITIVE BUT UNCLASSIFIED

~~SECRET~~

NSL VIO-2466

6/19/2006

~~SECRET~~

[REDACTED] (OGC) (FBI)

From: [REDACTED] (OGC) (FBI)

Sent: Thursday, December 23, 2004 10:16 AM

To: [REDACTED] (OGC) (FBI)

Subject: RE: CTD SSA advice re NSL language

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[REDACTED]

-----Original Message-----

From: [REDACTED] (OGC) (FBI)

Sent: Wednesday, December 22, 2004 11:53 AM

To: [REDACTED] (OGC) (FBI)

Subject: FW: CTD SSA advice re NSL language

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[REDACTED] let's discuss this. Thanks.

-----Original Message-----

From: [REDACTED] (FBI)

Sent: Wednesday, December 22, 2004 8:18 AM

To: [REDACTED] (OGC) (FBI)

Cc: [REDACTED] (OGC) (FBI)

Subject: CTD SSA advice re NSL language

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

DATE: 07-11-2007

CLASSIFIED BY: 65179 DMH/TAM/KSR/JB

REASON: 1.4 (c)

[REDACTED]

~~SECRET~~

NSL VIO-2468

5/5/2006

~~SECRET~~

b5
b1
b7D
b4
b2
b7E

(S)

(S)

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

~~SECRET~~

NSL VIO-2469

6/5/2006

~~SECRET~~

[REDACTED] (OGC) (FBI)

From: [REDACTED] (OGC) (FBI)

Sent: Thursday, December 23, 2004 10:57 AM

To: [REDACTED] (OGC) (OGA)

Subject: FW: CTD SSA advice re NSL language

**SENSITIVE BUT UNCLASSIFIED
NON-RECORD**

[REDACTED]

-----Original Message-----

From: [REDACTED] (OGC) (FBI)

Sent: Thursday, December 23, 2004 10:48 AM

To: [REDACTED] (FBI)

Cc: [REDACTED] (OGC) (FBI); [REDACTED] (CTD) (FBI); [REDACTED] (CTD) (FBI); [REDACTED] (OGC) (FBI)

Subject: RE: CTD SSA advice re NSL language

**SENSITIVE BUT UNCLASSIFIED
NON-RECORD**

[REDACTED] discussed this [REDACTED]
[REDACTED]

DATE: 07-11-2007
CLASSIFIED BY: 65179 DMH/TAM/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2032

NSL VIO-2473

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

6/5/2006

~~SECRET~~

b6
b7C

-----Original Message-----

From: [REDACTED] (FBI)
Sent: Wednesday, December 22, 2004 8:18 AM
To: [REDACTED] (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: CTD SSA advice re NSL language

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[REDACTED]

b5
b1
b7D
b4 (S)
b2
b7E
b6
b7C

(S)

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

6/5/2006

NSL VIO-2474

~~SECRET~~

[REDACTED] (OGC) (FBI)

From: [REDACTED] (OGC) (FBI)

Sent: Thursday, December 23, 2004 10:57 AM

To: [REDACTED] (FBI)

Cc: [REDACTED] (OGC) (FBI)

Subject: RE: CTD SSA advice re NSL language

**SENSITIVE BUT UNCLASSIFIED
NON-RECORD**

The language suggested by CTD [REDACTED]

[REDACTED] This language was reviewed by OGC and approved by
Spike Bowman. OGC has not changed its suggested NSL language [REDACTED]

Happy holidays [REDACTED]

[REDACTED] chime in if I missed (or misstated) something...

-----Original Message-----

From: [REDACTED] (FBI)

Sent: Wednesday, December 22, 2004 8:18 AM

To: [REDACTED] (OGC) (FBI)

Cc: [REDACTED] (OGC) (FBI)

Subject: CTD SSA advice re NSL language

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

**SENSITIVE BUT UNCLASSIFIED
NON-RECORD**

DATE: 07-11-2007
CLASSIFIED BY: 65179 DMH/TAM/KSR/JE
REASON: 1.4 (e)
DECLASSIFY ON: 07-11-2032

[REDACTED]

NSL VIO-2475

6/19/2006

~~SECRET~~

~~SECRET~~

b5
b1
b7D
b4
b2
b7E

(S)

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

~~SECRET~~

NSL VIO-2476

6/19/2006

[REDACTED] OGC) (FBI)

From: [REDACTED] (FBI)

Sent: Thursday, December 23, 2004 11:49 AM

To: [REDACTED] OGC) (FBI); [REDACTED] OGC) (FBI)

Cc: [REDACTED] (FBI)

Subject: RE: CTD SSA advice re NSL language

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks to both of you, [REDACTED]

[REDACTED]

DATE: 07-11-2007
CLASSIFIED BY: 65179 DMH/TAM/KSE/TE
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2032

-----Original Message-----

From: [REDACTED] OGC) (FBI)

Sent: Thursday, December 23, 2004 10:57 AM

To: [REDACTED] (FBI)

Cc: [REDACTED] OGC) (FBI)

Subject: RE: CTD SSA advice re NSL language

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

The language suggested by CTD [REDACTED]

[REDACTED]

[REDACTED] This language was reviewed by
OGC and approved by Spike Bowman. OGC has not changed its suggested NSL language. [REDACTED]

[REDACTED]

Happy holidays. [REDACTED]

[REDACTED] chime in if I missed (or misstated) something...

-----Original Message-----

From: [REDACTED] (FBI)

NSL VIO-2477

~~SECRET~~

6/19/2006

~~SECRET~~

Sent: Wednesday, December 22, 2004 8:18 AM
To: [REDACTED] (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: CTD SSA advice re NSL language

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[REDACTED]

[REDACTED]

b5
b1 (S)
b6
b7C
b7D
b4
b2
b7E

(S)

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

6/19/2006

~~SECRET~~ NSL VIO-2478

~~SECRET~~

[REDACTED] (OGC) (FBI)

b6 From: [REDACTED] (FBI)
b7C Sent: Thursday, December 23, 2004 2:26 PM
To: [REDACTED] (OGC) (FBI)
Subject: RE: CTD SSA advice re NSL language

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

That's awesome [REDACTED]

[REDACTED] With OGC's blessing [REDACTED]

b5 [REDACTED]
b6 It's 2:20 -- start packing up and looking for your keys!!!! Enjoy the three-day break.
b7C [REDACTED]

-----Original Message-----

b6 From: [REDACTED] (OGC) (FBI)
b7C Sent: Thursday, December 23, 2004 12:45 PM
To: [REDACTED] (FBI); [REDACTED] (OGC) (FBI)
Cc: [REDACTED] (FBI)
Subject: RE: CTD SSA advice re NSL language

DATE: 07-11-2007
CLASSIFIED BY 65179 DMH/TAM/KSP/JB
REASON: 1.4 (c)
DECLASSIFY ON: 07-11-2032

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Anyway, those are my thoughts [REDACTED]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-2479

~~SECRET~~

6/19/2006

b5
b7D
b2
b7E
b6
b7C

~~SECRET~~

-----Original Message-----

b6
b7C

From: [redacted] (FBI)
Sent: Thursday, December 23, 2004 11:49 AM
To: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Cc: [redacted] (NY) (FBI)
Subject: RE: CTD SSA advice re NSL language

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks to both of you. [redacted]

[redacted]

b5
b6
b7C
b2
b7E (S)
b7D
b1
b4

-----Original Message-----

b6
b7C

From: [redacted] (OGC) (FBI)
Sent: Thursday, December 23, 2004 10:57 AM
To: [redacted] (NY) (FBI)
Cc: [redacted] (OGC) (FBI)
Subject: RE: CTD SSA advice re NSL language

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

The language suggested by CTD [redacted]

[redacted]

b5
b7D
b6
b7C

[redacted] This language was reviewed by OGC and approved by Spike Bowman. OGC has not changed its suggested NSL language [redacted]

[redacted]

Happy holidays. [redacted]

[redacted] chime in if I missed (or misstated) something...

NSL VIO-2480

~~SECRET~~

6/19/2006

~~SECRET~~

-----Original Message-----

From: [REDACTED] (NY) (FBI)
Sent: Wednesday, December 22, 2004 8:18 AM
To: [REDACTED] (OGC) (FBI)
Cc: [REDACTED] (OGC) (FBI)
Subject: CTD SSA advice re NSL language

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[REDACTED]

[REDACTED]

b5
b6
b7C
b2
b7E
b1
b4

(S)

(S)

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

~~SECRET~~ NSL VIO-2481

~~SECRET~~

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

~~SECRET~~

NSL VIO-2482

[redacted] (OGC) (FBI)

From: [redacted] (OGC) (FBI)

Sent: Friday, July 22, 2005 9:53 AM

To: HQ_DIV04_FBIHOME

Cc: [redacted] (OGC) (FBI)

Subject: Please update NSLB website concerning National Security Letters

(1 document attached)
6/5/06
[redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Ladies and Gentlemen:

[redacted] and I (an attorney with NSLB) are putting this email together.

At [redacted] please replace the entirety of this website, with the exception of three links which I will name shortly, with the attached document entitled "NSLwebsitenarrative." In addition to these three links that remain from the present configuration of the website, we will be sending you new documents to be linked to the new "NSL website narrative."

The links which will be remaining, and should not be deleted, are the ones that reference 1) an EC dated 10/26/2001 2) EC dated 12/11/2001 and 3) [redacted]

[redacted] Those three links will be needed in the new document, "NSL website narrative."

There are numerous new links which will be needed for the attached new website. We will send them to you by another email.

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 68179 DMH/TAM/KSR/JE

NATIONAL SECURITY LETTERS

National Security letters are a specific type of administrative subpoena that allows the FBI to obtain certain limited types of information without court intervention:

- 1) Under the Electronic Communications Privacy Act, 18 U.S.C. §2709, the FBI can obtain telephone and email communication records from telephone companies and internet service providers.
- 2) Under the Right to Financial Privacy Act, 12 U.S.C. §3414(a)(5)(A), the FBI can obtain the records of financial institutions (which is very broadly defined).
- 3) Under the Fair Credit Reporting Act, 15 U.S.C. §§1681u(a) and (b), the FBI can obtain a list of financial institutions and consumer identifying information from a credit reporting company.
- 4) Under the Fair Credit Reporting Act, 15 U.S.C. §1681v, the FBI can obtain a full credit report in an international terrorism case. This provision was created by the 2001 USA Patriot Act.

The standard for issuing an NSL is relevance to an authorized investigation to protect against international terrorism or clandestine intelligence activities provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the First Amendment of the Constitution of the United States. (The 1681v NSL standard is slightly different to reflect that it applies only to international terrorism investigations.) Prior to the Patriot Act, the standard for issuance of an NSL was that the target or the communication was tied to a foreign power. That is no longer the case. (See explanation of changes, per EC dated 10/26/2001.) Further, an NSL may be obtained in [redacted] investigation. The subject of the NSL does not need to be the target of the investigation, provided that the information is relevant to an authorized investigation.

b1
b2
b7E

A request for an NSL has two parts. One is the NSL itself, and one is the EC approving issuance of the NSL. The authority to sign NSLs has been delegated to the Deputy Director, Executive Assistant Director for CT/CI; Assistant Directors in charge and all DADs for CT/CI/Cyber (except that CI and Cyber ADs and DADs do not have any authority with respect to 1681v NSLs); General Counsel; Deputy General Counsel for National Security Affairs; Senior Counsel for National Security Affairs; Assistant Directors in Charge in NY, D.C., and LA; and all SACs. An acting SAC may not sign an NSL.

All NSLs must be addressed to the specific company point of contact (many of which are listed on NSLB's website). All NSLs should identify the statutory authority for the request, the type of records requested, and provide identifying information to assist the company in processing the request. All NSLs require a certification that the records sought are relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities and that an investigation of a USP is not conducted solely on the basis of First Amendment rights (with the 1681v NSL certification being slightly different to reflect its application only to international terrorism investigations). All NSLs should have a non-disclosure warning. Certain NSLs have an attachment suggesting the type of information that the recipient may consider to fall within the parameters of the request.

The cover EC serves four functions. It documents the predication for the NSL by stating why

the information sought is relevant to an authorized investigation. It documents the approval of the NSL by field supervisors. It contains information needed to fulfill Congressional reporting requirements for each type of NSL (subject's USP status, type of NSL issued, and the number of phone numbers, email addresses, account numbers or individual records being requested in the NSL). Lastly, it transmits the NSL to NSLB for reporting requirements, to CTD, CD, or Cyber for informational purposes, and, in the case of personal service, to the requesting squad or delivering field division for delivery.

Information obtained through the use of an NSL may be disseminated in accordance with general standards set forth in The Attorney General's Guidelines for FBI National Security Investigation and Foreign Intelligence Collection (NSIG). Dissemination is further subject to specific statutory limitations (e.g., toll record NSL statute, ECPA, 18 U.S.C. §2709, and financial record NSL statute, RFPA, 12 U.S.C. §3414(a)(5)(B), permit dissemination if per NSIG and information is clearly relevant to responsibilities of recipient agency; limited credit information NSL statute, FCRA, 15 U.S.C. §1681u, permits dissemination to other federal agencies as may be necessary for the approval or conduct of an FCI investigation; no special statutory rules for dissemination under full credit report NSL statute, FCRA, 15 U.S.C. §1681v).

Attached is guidance issued by OGC on NSLs by EC dated 12/11/2001. It generally explains how to prepare an EC and NSL. However, some of the information is outdated and the models that are attached are also outdated. Attached below are the latest versions of the model ECs and NSLs. To the extent that any information in the body of the 12/11/2001 EC is inconsistent with the latest model ECs and NSLs, the latter control (for instance, the 12/11/2001 EC reference to the classification marking "Declassify on X-1" is superseded by the classification marking requirement of "Declassify on X25-1" found in the latest models. References to needing a full investigation in the 12/11/2001 EC have been superseded by a new policy which allows NSLs to be issued in full or preliminary investigations, as indicated in the latest models). Nonetheless, the general principles set forth in the 12/11/2001 EC are still useful.

Also attached is OGC guidance by EC dated 10/1/2003 and by EC dated 11/5/2003 which discuss Section 1681v credit report NSLs. Further, OGC recently issued guidance (1) by EC dated 5/27/2005, which relates to a modification of NSL policy that allows for return dates on NSLs, and (2) by EC dated 6/29/2005, which relates to use of restricted delivery services to serve NSLs. For a summary of some of the principle concepts of NSLs, see the NSL powerpoint attached herein.

Thus, the latest model ECs and NSLs are as follows:

- 1) Telephone Subscriber EC
- 2) Telephone Subscriber NSL
- 3) Toll Record EC
- 4) Toll Record NSL
- 5) E-Mail Subscriber EC
- 6) E-Mail Subscriber NSL
- 7) Transactional Record EC

- 8) Transactional Record NSL
- 9) RFPA EC
- 10) RFPA NSL
- 11) 1681u(a) EC
- 12) 1681u(a) NSL
- 13) 1681u(b) EC
- 14) 1681u(b) NSL
- 15) 1681v EC
- 16) 1681v NSL

The relevant delegation of signature authority ECs are as follows: 11/09/2001; 8/27/2003; 10/17/2003; and 10/31/2003. Specifically, all 1681v ECs should reference the 8/27/03 date, and all other NSLs, signed by either the SAC, the deputy general counsel for national security affairs or the general counsel at headquarters should reference the 11/09/01 date.

Further, if you need to view the statutory authority for these NSLs, copies of the ECPA, RFPA, and FCRA statutes can be found on the OGC main library website.

Attached also please find a list of the names and addresses of appropriate offices/persons to whom NSLs should be addressed, broken down by [REDACTED]

b2 [REDACTED] Since OGC generally does not have contact with these entities,
b6 we rely on the field to let us know when these points of contact are outdated or when new entities
b7C come into play for which POCs would be useful. So please let us know when you run across POC information that headquarters and other field offices might find useful. You can email [REDACTED] at NSLB, and she can update this site.

DETERMINING [REDACTED]

The following information, which was compiled by [REDACTED] field office [REDACTED] will assist in determining the proper point of contact for determining the proper financial institution to which to address an NSL for [REDACTED] information. [REDACTED]

[REDACTED]

[REDACTED] so an NSL should be addressed to
[REDACTED] at the address shown on the NSLB POC list. If you need
to call for other information [REDACTED]
[REDACTED] however, when [REDACTED]
recently called it, it was answered by a live person [REDACTED]
[REDACTED] (which is also answered by a live person).

[redacted]

[redacted] is issued by the company itself, so an NSL should be addressed [redacted] at the address shown on the NSLB POC list. If you need to call for other information [redacted] (However, when [redacted] recently called that number, it did not [redacted] Instead, it was answered by a live person [redacted])

[redacted]

[redacted]

b2
b7E

[redacted] so an NSL should be addressed to [redacted] at the address shown on the NSLB POC list. If you require other information, [redacted]

[redacted].

[redacted]

[redacted] If [redacted] indicates [redacted] it might mean that we are not able to do NSLs [redacted] you will need to check with your Legal Unit or NSLB for additional follow-up information.

[redacted]

[redacted] are issued by a multitude of banks. [redacted]

[redacted] will not accept NSLs for that information for various legal reasons (despite the fact that a financial institution under RFPa is defined to include [redacted] Therefore, NSLs need to be addressed to [redacted] has a 24-hour law enforcement hotline [redacted] which is a live-line, answered by a person,

[redacted]

[redacted]

b2
b7E

[redacted] will accept NSLs for the information in its possession, so an NSL should be addressed to [redacted] address shown on the NSLB POC list. However, an NSL to [redacted] will not reveal information about [redacted] That information is only retrievable from [redacted] In order to determine [redacted]

b2
b7E

[REDACTED]

[REDACTED] See the note below from CTD about [REDACTED]

[REDACTED]

[REDACTED] Per information from CTD,

6/29/2005, there are also [REDACTED]

[REDACTED]

b2
b7E

MISCELLANEOUS

b6
b7C

If you come across useful information on other NSL-related topics, please email [REDACTED]

[REDACTED] of NSLB and we will add it to this website.

[REDACTED] (OGC) (FBI)

From: [REDACTED] (OGC) (FBI)

Sent: Friday, July 22, 2005 10:00 AM

To: HQ_DIV04_FBIHOME

Cc: [REDACTED] (OGC) (FBI)

Subject: NSLB/OGC website update email number 2

b6
b7C

5 documents attached
6/5/06
[REDACTED]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

The new NSL narrative has the following paragraph - the items in red are links, which I have attached to this document.

"Also attached is OGC guidance by EC dated 10/1/2003 and by EC dated 11/5/2003 which discuss Section 1681v credit report NSLs. Further, OGC recently issued guidance (1) by EC dated 5/27/2005, which relates to a modification of NSL policy that allows for return dates on NSLs, and (2) by EC dated 6/29/2005, which relates to use of restricted delivery services to serve NSLs. For a summary of some of the principle concepts of NSLs, see the NSL powerpoint attached herein."

The attached documents are in order as set forth in the paragraph above. The EC dated 10/1//2003 is entitled "finalcreditreportguidance." The EC dated 11/5/2003 is entitled "amendedcreditreportguidance." The EC dated 5/27/2005 is entitled "nslreturndateguidance." The Ec dated 6/29/2005 is entitled "nslfinaldeliveryserviceec." The NSL powerpoint is entitled "nsl.ppt."

thanks [REDACTED]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JB

SENSITIVE BUT UNCLASSIFIED

NSL VIO-2490

6/5/2006

FEDERAL BUREAU OF INVESTIGATION

Precedence: IMMEDIATE

Date: 10/01/2003

To: All Field Offices

Attn: ADIC;
SAC;
CDC
FCI/IT Supervisors
A/AD Pistole;
DADs;
Section Chiefs
AD Szady;
DADs;
Section Chiefs

Counterterrorism

Counterintelligence

From: General Counsel

National Security Law Branch, Room 7975

Contact: [REDACTED] 202-324-[REDACTED]

Approved By: Caproni Valerie E
Kelley Patrick W

[REDACTED]

Drafted By:

[REDACTED]

Case ID #: 66F-HQ-A1255972
66F-HQ-C1213150

Title: NATIONAL SECURITY LETTERS
CREDIT REPORTS UNDER FCRA, 15 U.S.C. §1681v

Synopsis: Provides guidance on the preparation, approval, and service of National Security Letters (NSLs) to obtain Credit Reports in International Terrorism cases, implementing 15 U.S.C. § 1681v of the Fair Credit Reporting Act, created by the 2001 USA Patriot Act.

Reference:

66F-HQ-A1255972

Enclosure(s): 1) Model Credit Report NSL
2) Model EC for Credit Report NSL
3) Checklist for Credit Report NSL

Details: Public Law 107-56, the USA Patriot Act, contained several significant provisions with respect to National Security Letters (NSLs). Certain provisions changed the requirements necessary to obtain information from communications providers under the Electronic

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JE

NSL VIO-2491

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

Communications Privacy Act (ECPA), 18 U.S.C. § 2709; from financial institutions under the Right to Financial Privacy Act (RFPA), 12 U.S.C. § 3414(a)(5), and from consumer reporting agencies under the Fair Credit Reporting Act (FCRA), 15 U.S.C. § 1681u. Those changes have been discussed in guidance issued by the National Security Law Unit via EC dated 12/2/2001.

b2
b7E In addition to those changes, the Patriot Act expanded the scope of information that is available through NSLs from credit bureaus through the addition of a provision to the Fair Credit Reporting Act, 15 U.S.C. § 1681v, which allows the FBI to obtain full credit reports from consumer reporting agencies in [redacted] investigations through an NSL relative to international terrorism cases. (The terminology for this information used by the statute is "a consumer report of a consumer and all other information in a consumer's file.") This provision and its implementation is the focus of this electronic communication.

1. Introduction to Procuring Credit Information

Prior to enactment of the Patriot Act, credit-type information was available through National Security Letters but only under limited circumstances. Under the Fair Credit Reporting Act, 15 U.S.C. § 1681u, a National Security Letter could be used to obtain, not a full credit report, but only "the names and addresses of all financial institutions . . . at which a consumer maintains or has maintained an account," 15 U.S.C. § 1681u(a), and "identifying information respecting a consumer, limited to name, address, former addresses, places of employment, or former places of employment," 15 U.S.C. § 1681u(b). A full credit report was obtainable only through a court order. These provisions remain in place, but, as set forth below, an additional investigative tool was created by the Patriot Act.

The Patriot Act provided that we can now obtain full credit reports without a court order in international terrorism cases (while counterintelligence cases still require a court order). The language of 15 U.S.C. § 1681v reads, in relevant part, as follows:

. . . [A] consumer reporting agency shall furnish a consumer report of a consumer and all other information in a consumer's file to a government agency authorized to conduct investigations of, or intelligence or counterintelligence activities or analysis related to, international terrorism when presented with a written certification by such government agency that such information is

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

necessary for the agency's conduct of such investigation, activity or analysis.

The statute also provides for delegation by the FBI Director of approval authority for requests made by FBI personnel. On 08/27/2003, the Director delegated such authority to the Deputy Director, the Executive Assistant Director for Counterterrorism/ Counterintelligence, the Assistant Director and all Deputy Assistant Directors for Counterterrorism, the General Counsel, the Deputy General Counsel for National Security Affairs, the Senior Counsel for National Security Affairs, the Assistant Director in Charge (ADICs) and all Special Agents in Charge (SACs) in the New York, Washington, D.C., and Los Angeles field offices, and the SACs in all other field offices.

Further, 15 U.S.C. § 1681v provides that the consumer reporting agency must maintain the confidentiality of the request, and that the agency will not be held liable for disclosure of credit reports in good-faith reliance upon a request for such records.

Pursuant to Department of Justice (DOJ) policy, credit report NSLs, unlike other NSLs, are limited in their use [redacted] and, by statute, to **international terrorism investigations**. [redacted]

[redacted] However, DOJ policy may be revised in the near future to allow the use of credit report NSLs [redacted] if a new policy is adopted concerning credit report NSLs, this guidance will be appropriately amended.

2. General Policy on the Use of NSL Authority

NSLs are useful investigative tools in that they allow us to obtain significant amounts of relevant information; however, they must be used judiciously. Although the Patriot Act broadened the FBI's authority to gather this information, Executive Order 12333 and DOJ policy require that the FBI conduct its investigations through the least intrusive means consistent with our duty to gather information of sufficient quality, scope and timeliness. Supervisors should keep this in mind when deciding whether a particular use of NSL authority is appropriate.

Although the FBI is not required to report to Congress on the number of credit report NSLs issued by the FBI, as is required with respect to other NSLs, the cover EC must identify the number of credit reports sought by the

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

particular NSL. NSLB will maintain a record of the number of NSLs issued that will be available for review by FBI management or be used to respond to possible Congressional inquiry.

The delegation of authority to the field to issue credit report NSLs creates the possibility that duplicate requests for the same information will be issued by different field offices. Field offices must take steps to avoid this. In particular, the field should check FBI databases (ACS, Telephone Application, etc.) and open sources to determine if the information sought has already been obtained by the FBI or whether it is publically available. This is particularly important when considering issuing NSLs for credit reports because, as with NSLs for telephone or electronic communications data under the ECPA, and unlike NSLs for financial records under the RFPA, the government is not required to reimburse the provider of the information. A dramatic increase in duplicate credit report NSLs will only augment existing pressure to require governmental reimbursement.

Individual field offices have the responsibility for establishing and enforcing an appropriate review and approval process for the use of credit report NSL authority.

3. The Mechanics of Producing NSLs

The procedures for producing an NSL for credit reports are no different from those used to produce other types of NSLs. For all types of NSLs, including a credit report NSL, the issuing office needs to prepare two documents: (1) the NSL itself; and (2) an EC approving the NSL and documenting the predication. A model NSL and EC for credit report requests are included as attachments to this communication. These materials will also be placed on the NSLB Intranet Website and will be distributed by GroupWise e-mail.

A. The NSL

1. General Information

There are three major consumer reporting agencies: Equifax, Experian, and TransUnion. To date, the FBI has dealt almost exclusively with Experian and TransUnion. We envision

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

having equal access to the credit information housed in Equifax.

All credit report NSLs must be addressed to the appropriate point of contact at one of these agencies. The current agency addresses and points of contact are:



b7D
b4
b6
b7C

Please note that the agency point of contact address does not include a zip code because credit report NSLs, as well as all other NSLs, must be hand-delivered. Given the sensitive nature of international terrorism investigations, if the consumer reporting agency is willing to use an FBI-provided secure fax machine, then credit report NSLs may be transmitted via secure fax. However, to date, no such arrangements have been made, so hand-delivery is still the required method of service. Field divisions should advise NSLB of any new points of contact, or when a particular point of contact is no longer valid.

2. The NSL format

The first paragraph of every credit report NSL provides the appropriate statutory authority for the request, identifies the

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

types of records requested, and provides available identifying information so that the consumer reporting agency can process the NSL request.

Credit report requests should include all available identifying information to facilitate the consumer reporting agency's records search. Typically, such identifying information includes: name, social security number, and date of birth. Unlike in some other NSLs, there is no need to specify a date range for credit report requests because these reports are comprehensive and not limited in time. Moreover, the request will be asking for not only the consumer report of a consumer but "all other information in a consumer's file," as is provided for by the statute.

The second paragraph of every NSL contains the statutorily required certification language. With respect to credit report NSLs, the certification should state that "the consumer report and all other information in a consumer's file is necessary for the FBI's conduct of an investigation of, or intelligence or counterintelligence activities or analysis related to, international terrorism."

The next paragraph sets forth an admonition to the consumer reporting agency receiving the NSL, warning that no officer, employee, or agent of the agency may disclose to any other person, or specify in any consumer report, that the FBI has sought or obtained access to the requested information or records.

The last substantive paragraph instructs the agency point of contact to provide the records personally to a representative of the delivering field division and not to send the records through the mail nor disclose the substance of the request in any telephone conversation. It also states that any questions should be directed to the delivering field division.

Finally, the NSL is an unclassified document because it does not detail the specific relevance of the requested records to an authorized FBI investigation. There is no need to classify the NSL when attaching it to the cover EC. However, NSLs should never be transmitted to a consumer reporting agency via an unsecured means.

When preparing an NSL request, the field should use the attached model NSL.

B. The Cover EC

The Cover EC serves three essential functions in the credit report NSL process: (1) it documents the predication for the NSL by recording why the information sought is

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

necessary to an international terrorism [redacted]
(2) it documents the approval of the NSL by relevant supervisors and the legal review of the document; and (3) it transmits the NSL to the requesting squad or delivering field division for delivery to the appropriate consumer reporting agency. When preparing an NSL request, the field should use the attached model EC.

1. Field Descriptors

This section will generally explain how most of the EC field descriptors should be completed. The "**Precedence**" descriptor will typically be "ROUTINE." The "**Date**" descriptor should reflect the date the NSL and the EC were approved. The "**To**" descriptor will always include "General Counsel" and the requesting squad's field division. It will also include the name of the delivering field division (which will be [redacted] in the case of credit report NSLs directed [redacted] field office for NSLs directed [redacted] and [redacted] field office for NSLs directed [redacted] and the office of origin, if applicable. In addition, it will include the Counterterrorism Division. The "**Attn**" descriptor should include the Deputy General Counsel, NSLB; the squad supervisors and case agents from the requesting squad, delivering field division (which will be [redacted] in the case of NSLs directed [redacted] the IA squad [redacted] for NSLs directed [redacted] and the IT Squad [redacted] for NSLs directed [redacted] and office of origin, if applicable and if known. The "**From**" descriptor should identify the certifying official's field division and include the title of the certifying official. The "**Contact**" descriptor should reflect the name and phone number of the requesting squad case agent.

The "**Approved By**" descriptor should reflect the name of the approving officials. Prior to certification, every credit report NSL and cover EC issued by the field division should be reviewed by the squad supervisor, the Office of the Chief Division Counsel, and the SAC. CDCs reviewing the NSL packages should use the checklist provided with this communication to ensure legal sufficiency. The last step in the approval process occurs when the certifying official (Deputy Director, EAD for Counterterrorism/Counterintelligence, Counterterrorism ADs and DADs, General Counsel, Senior Counsel for National Security Affairs, Deputy General Counsel for National Security Affairs, New York, Washington, D.C., and Los Angeles ADICs, and SACs) personally signs the NSL and initials the EC. Certifying officials may not further delegate signature authority.

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

The "**Drafted By**" descriptor should reflect the name of the person who prepared the NSL package. The "**Case ID #**" descriptor must contain the case file number relevant to the request, and the Headquarters case file number 66F-HQ-C1213150 assigned to NSLs directed to consumer reporting agencies. It should also include the case file for NSLs of the delivering office. (For the [redacted], which delivers NSLs to

[redacted] for the [redacted] field office, which delivers NSLs [redacted]

The "**Title**" descriptor should list the name of the subject of the international terrorism investigation to which the credit report request pertains (even if the subject of the credit report request is someone other than the subject of the investigation), any known aliases, the fact that this is an IT investigation and directed at a particular foreign power, if applicable, and identify the office of origin. The "**Synopsis**" descriptor should use boilerplate language that the EC "approves the issuance of one credit report National Security Letter (NSL) pursuant to 15 U.S.C. §1681v; sets a lead and provides reporting data to NSLB; and transmits the NSL to FBI [Delivering Division] for delivery to [the credit reporting agency]." The "**Derived From**" descriptor should be "**G-3**" in bold typeface. The "**Declassify On**" descriptor should be "**X1**" in bold typeface. The "**Full Investigation Instituted**" descriptor should state the date [redacted] investigation was opened on the subject, and indicate whether the subject is a U.S. person. If the subject of the investigation is not the person to whom the credit report pertains, further state whether that person is a U.S. person.

Assuming that there is an enclosure, namely the National Security Letter, the next section of the EC, entitled "**Enclosure**" should describe the enclosure, that is, an original and copy of a letter dated [MM/DD/YYYY] addressed to [consumer reporting agency POC and address] requesting the consumer report and all information in the consumer's file of [name of subject of request].

2. Predication and Relevance

The next section of the EC is the "**Details**" section. A credit report NSL under 15 U.S.C. §1681v may be issued upon a certification that the credit report is necessary for the FBI's conduct of an authorized investigation of, or intelligence or counterintelligence activities or analysis related to, international terrorism. Accordingly, the first paragraph in the "**Details**" section of the EC should contain the predication [redacted]

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

b2 [redacted] and specify the necessity of the requested
b7E credit report to the investigation. Both the predication and
necessity should be stated clearly and concisely.

b2 [redacted]
b7E The necessity requirement ties the requested records
to the appropriate investigation. For example, necessity
could be established by stating, [redacted]
[redacted]

3. Standard Language

What follows, still within the "**Details**" section, is standard language required in every EC seeking a credit report NSL. It is the same standard language (adjusted for the fact that different information is sought under 15 U.S.C. §1681v) used in the model NSL seeking financial institution information and identifying information from consumer reporting agencies under 15 U.S. C. §1681u:

This electronic communication documents the [title of person approving the NSL]'s approval and certification of the enclosed NSL. The enclosed NSL seeks a consumer report and all other information in the consumer's file.

A representative of the [relevant
b2 FBI office, e.g., [redacted]
b7E who has liaison with the consumer reporting
b7D agency should deliver the letter to [name
b4 of POC at agency].

On August 27, 2003, the Director delegated the official signing the enclosed letter authority to make the required certification.

[The relevant FBI office] should remind the consumer reporting agency that,

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

under 15 U.S.C. §1681v(c), it is prohibited from disclosing that the FBI has sought or obtained access to this information.

Arrangements should be made with the consumer reporting agency to produce the records personally to an employee of [the relevant FBI office]. The agency should neither send the records through the mail nor utilize the name of the subject of the records in any telephone calls to the FBI office. The agency should not contact FBIHQ directly in any matter.

Any questions regarding the above can be directed to [Drafting Division], Attention: [name of case agent and phone number]

4. Leads

On occasion, the squad requesting the NSL will be able to hand-carry the NSL to the consumer reporting agency point of contact. However, more often, the field division drafting the NSL will have to get it delivered by one of the field divisions located in the area where the consumer reporting agency is located. In these situations, the drafting division should identify the squad and personnel, if known, at the delivering field division who will be responsible for delivering the NSL. In the event that the office of origin is different than either the drafting division or delivering division, the person drafting the NSL package should ensure that the case agent from the office of origin receives a copy of the package. The first lead in the EC should direct the requesting squad or delivering field division to deliver the attached NSL. If the delivering division is different than the drafting division or the office of origin, then this first lead should also request the delivering division to submit the results to the drafting division and/or the office of origin.

Although the FBI is not required to report credit report NSLs to Congress, NSLB will still maintain a record of such requests. To ensure that NSLB receives sufficient information to maintain a record of these NSLs and possibly report to Congress, it is crucial that the person preparing the NSL package follow the NSL and EC models very carefully. The second lead in every model EC requests NSLB to "record the appropriate information as is needed." NSLB will be able to

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

compile the data provided that the cover EC includes the case file number, the subject's U.S. person status, and the number of consumer reports being requested in the NSL. Once NSLB has entered this reporting data into its NSL database, it will clear the lead set in the cover EC.

4. NSL Preparation Assistance

Some field divisions may, for a variety of reasons, opt not to exercise their delegated authority to issue NSLs. Some field divisions may not have an SAC but rather only an ASAC or an acting SAC, neither of whom have delegation authority. Further, other field divisions may exceed their capacity to issue NSLs and seek assistance in handling the overflow. NSLB will process any NSL request that it receives. Field divisions should send their requests directly to NSLB, with information copies to the FBIHQ substantive unit. Such requests must contain all the substantive information identified in this communication that is necessary to prepare the NSL but the requests do not have to follow the format set forth in this guidance. NSLB would then prepare the NSL, as well as the EC that does follow the format described in this guidance. NSLB anticipates that it will be able to process such requests within one to three business days.

Any questions regarding this communication may be directed to Assistant General Counsel [REDACTED]
(202) 324-[REDACTED]

b6
b7C
b2

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 10/01/2003

LEAD(s):

Set Lead 1: (Adm)

ALL RECEIVING OFFICES

Distribute to all supervisory personnel involved in
the investigation of international terrorism cases.

♦♦

FEDERAL BUREAU OF INVESTIGATION

Precedence: IMMEDIATE

Date: 11/5/2003

To: All Field Offices

Attn: ADIC;

SAC;

CDC

FCI/IT Supervisors

Counterterrorism

AD Pistole;

DADs;

Section Chiefs

Counterintelligence

AD Szady;

DADs;

Section Chiefs

From: General Counsel

National Security Law Branch, Room 7975

Contact: [REDACTED]

Approved By: Caproni Valerie E

Drafted By: [REDACTED]

Case ID #: 66F-HQ-A1255972

66F-HQ-C1213150

Title: NATIONAL SECURITY LETTERS

CREDIT REPORTS UNDER FCRA, 15 U.S.C. §1681v

Synopsis: Provides an amendment to guidance issued on October 1, 2003 on the preparation, approval, and service of National Security Letters (NSLs) to obtain Credit Reports in International Terrorism cases, implementing 15 U.S.C. § 1681v of the Fair Credit Reporting Act, created by the 2001 USA Patriot Act.

Reference:

66F-HQ-A1255972-serial 32

66F-HQ-C1213150-serial 302

Enclosure(s): 1) Revised Model EC for Credit Report NSL
2) Revised Checklist for Credit Report NSL

Details: On October 1, 2003, the General Counsel issued guidance on the preparation, approval, and service of NSLs to obtain full credit reports in international terrorism cases, pursuant to 15 U.S.C. § 1681v. At that time, the policy of the Department of Justice was to restrict the use of full credit report NSLs [REDACTED]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSF/JE

NSL VIO-2503

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 11/05/2003

investigations. That policy has now been amended and full credit report NSLs may be sought [redacted] as they have been titled under prior DOJ policy, and [redacted] as such inquiries will now be denoted under the new DOJ policy.

Because of this change, the enclosed Model EC for Credit Report NSL and Model Checklist for Credit Report NSL also needed to be amended to reflect the fact that the forms could be used to seek an NSL in [redacted] and [redacted]

[redacted] as well as [redacted]
The Model Credit Report NSL remains unchanged.

All other aspects of the guidance remain accurate.

Any questions regarding this communication may be directed to Assistant General Counsel [redacted]
[redacted]

To: All Field Offices From: General Counsel
Re: 66F-HQ-A1255972, 11/05/2003

LEAD(s) :

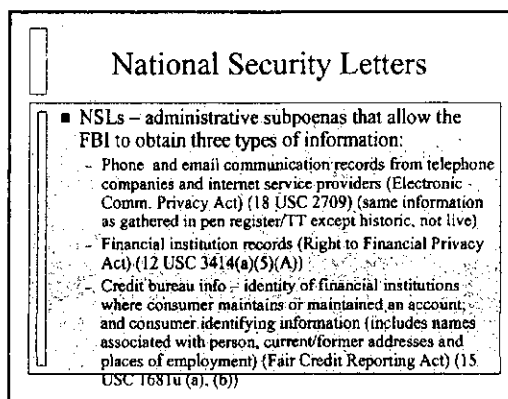
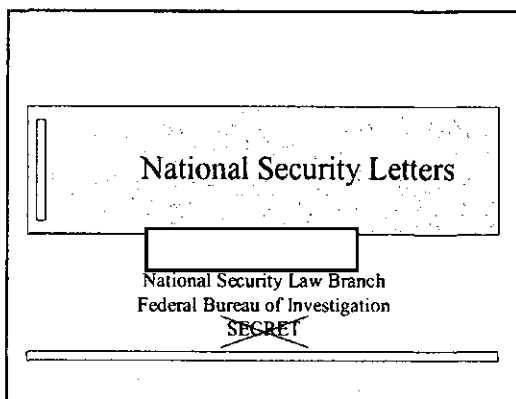
Set Lead 1: (Adm)

ALL RECEIVING OFFICES

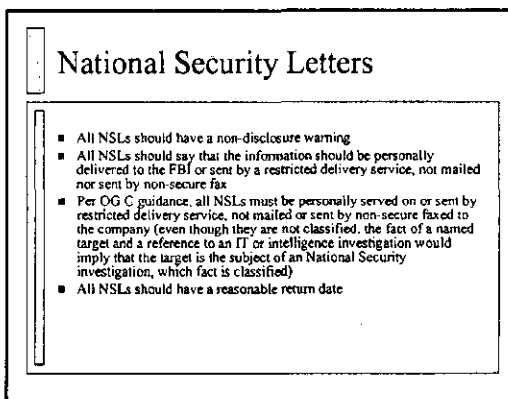
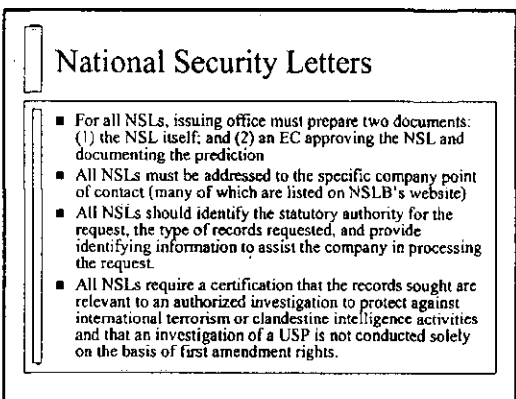
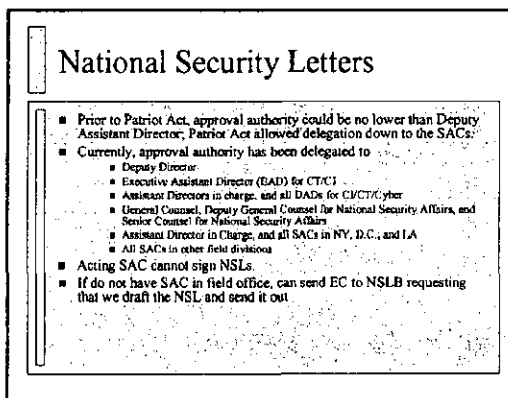
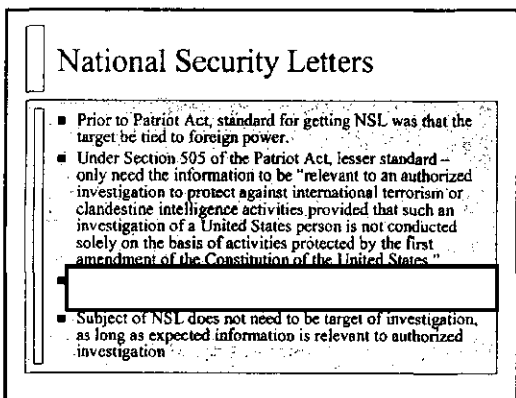
Distribute to all supervisory personnel involved in
the investigation of international terrorism cases.

♦♦

b6
b7C



b2
b7E
b1



b2
b7E

National Security Letters

- Certain NSLs have an attachment suggesting the type of information that the company may be considered to fall within the parameters of the statute. For example:



National Security Letters

- The cover EC serves four functions:
 - It documents the predication for the NSL by stating why the information sought is relevant to an investigation
 - It documents the approval of the NSL by field supervisors
 - It contains information needed to fulfill Congressional reporting requirements for each type of NSL
 - It transmits the NSL to NSLB, CTD/CIV Cyber, and the requesting squad or delivering field division for delivery if necessary
- For reporting purposes, the EC must include case file number, subjects USP status, type of NSL issued, and the number of phone numbers, email addresses, account numbers or individual records being requested in the NSL

National Security Letters

- September 2004 NY SD federal court decision holding that NSL statutes are unconstitutional because they do not provide for a challenge by the recipient of the NSL to the NSL or to the non-disclosure provision; and because the non-disclosure provision is mandatory without any certification or explanation in a particular case.
- Court found a First Amendment violation in the mandatory nature of the non-disclosure provision, absence of procedure to challenge it, and absence of exception for disclosure to attorneys for legal advice, and to others in entity needed to assist in production (latter provision is found in some but not all NSL statutes)
- There are now draft revisions in Congress to rectify the problems that the Court found - to provide for a challenge by the recipient to NSL itself; to provide for a certification by the FBI that the non-disclosure provision is necessary in this particular case; to provide for a challenge by the recipient of the NSL to that certification; and to provide for mechanism for government to enforce NSL
- In meantime, there is a stay of the Court's decision and we can continue to issue NSLs

RFP National Security Letters

- October 2003 change to the statute greatly expands the definition of "financial institutions" upon which we can serve NSLs under the RFP
- Per 31 USC 5312(a)(2), the list includes: insured bank; commercial bank or trust company; private banker; credit union; thrift institution; broker or dealer registered with the SEC; investment banker or investment company; currency exchange; issuer, redeemer or cashier of travelers' checks, checks, money orders; operator of a credit card system; insurance company; pawnbroker; loan or finance company; travel agency; licensed sender of money; telegraph company; persons involved in real estate closings and settlements; US Postal Service; agency of US/state/local gov't carrying out any of foregoing; casino; any business similar to the above list; any business whose cash transactions have high degree of usefulness in criminal, tax or regulatory matters
- List of "financial institutions" whose records are protected under RFP remains limited, so there may be entities that could voluntarily produce their financial records under the RFP and if they refuse to do so, so they can be subject to an NSL

Full Credit Reports - Court Order

- In addition to FCRA, 15 USC 1681u(a) and (b) information (financial institutions and consumer identifying information), under 15 USC 1681u(c), can get full consumer report in CI and CT cases by ex parte Court order
- Section 505 of Patriot Act changed standard for FCRA Court order for consumer report - eliminated requirement that target is tied to foreign power (same change as with respect to NSLs) and created standard of relevance to an authorized investigation to protect against international terrorism or clandestine intelligence activities provided that an investigation of a USP is not conducted solely on the basis of first amendment rights

Full Credit Report NSL - IT cases

- Patriot Act added 1681v to FCRA to authorize NSLs to obtain full "consumer report of a consumer and all other information in a consumer's file" (not just identity of financial institution or consumer identifying information) in IT cases only
- Full credit report to be provided to "a government agency authorized to conduct investigations of, or intelligence or counterintelligence activities or analysis related to, international terrorism when presented with a written certification by such government agency that such information is necessary for the agency's conduct of such investigation, activity or analysis"

b2
b7E
b1

Full Credit Report NSL - IT cases

- Same basic approval authority as other NSLs (Deputy Director, EAD for CT/ CI; AD and all DADs for CT, General Counsel, Deputy General Counsel for National Security Affairs, Senior Counsel for National Security Affairs, ADICs and SACs in NY, D.C., LA, and all SACs in other field offices)
- Includes non-disclosure provision
- Consumer reports in non-IT cases still require court order

Full Credit Report NSL - IT cases

- As with other NSLs, subject of NSL does not have to be target of the investigation
- Same mechanism as other NSLs – Cover EC and NSL itself
- Although no congressional reporting requirement – cover EC should still state the number of reports requested, in the event we are asked by Congress about the use of this NSL

Dissemination of NSL Information

- Information obtained through the use of NSLs may be disseminated in accordance with general standards set forth in The AG's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (NSIG) – i.e., the rules that apply to information sharing with DOJ, federal, state and local authorities wherein share if information relates to the responsibility of the entity

Dissemination of NSL Information

- Per the NSIG, NSL information dissemination is also subject to specific statutory limitations (e.g. toll record NSL statute, ECPA, 18 USC 2709, and financial record NSL statute, RFPA, 12 USC 3414(a)(5)(B), permit dissemination if per the NSIG and information is clearly relevant to responsibilities of recipient agency; credit report 1681u NSL statute, FCRA, 15 USC 1681u, permits dissemination to other federal agencies as may be necessary for the approval or conduct of a FCI investigation; no special statutory rules for dissemination of 15 USC 1681v information)

Payment for NSL Information

- NSL for toll records/email accounts, ECPA, does not provide for reimbursement of costs, although some offices do pay when requested in order to keep on good terms with service providers
- NSL for financial records, RFPA, requires reimbursement of costs; Title 12, CFR Part 219, and appendix, provides reimbursement cost schedule
- NSL for financial institution information and consumer identifying information, FCRA, section 1681u, provides for payment but no schedule has been promulgated
- NSL for full credit reports, FCRA, section 1681v does not provide for reimbursement of costs

QUESTIONS?

■ NSLB - (202) 324-[redacted]

■ Visit our FBI Intranet site at [redacted]

b6
b7C
b2

[REDACTED] (OGC) (FBI)

b6 From: [REDACTED] (ITOD) (FBI)

b7C Sent: Friday, July 22, 2005 11:13 AM

To: [REDACTED] (OGC) (FBI)

Cc: [REDACTED] (OGC) (OGA) [REDACTED] (OGC) (FBI)

Subject: RE: NSLB/OGC website update email number 2

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

done

FYI, we don't normally refer to "attachments" on the web... that's an email term! The standard way to refer to a document is to refer to the title, and just make the title a link. (I changed the ppt ref)

-----Original Message-----

From: [REDACTED] (OGC) (FBI)

Sent: Friday, July 22, 2005 10:00 AM

To: HQ_DIV04_FBIHOME

Cc: [REDACTED] (OGC) (FBI)

Subject: NSLB/OGC website update email number 2

b6 **SENSITIVE BUT UNCLASSIFIED**
b7C **NON-RECORD**

The new NSL narrative has the following paragraph - the items in red are links, which I have attached to this document.

"Also attached is OGC guidance by EC dated 10/1/2003 and by EC dated 11/5/2003 which discuss Section 1681v credit report NSLs. Further, OGC recently issued guidance (1) by EC dated 5/27/2005, which relates to a modification of NSL policy that allows for return dates on NSLs, and (2) by EC dated 6/29/2005, which relates to use of restricted delivery services to serve NSLs. For a summary of some of the principle concepts of NSLs, see the NSL powerpoint attached herein."

The attached documents are in order as set forth in the paragraph above. The EC dated 10/1/2003 is entitled "finalcreditreportguidance." The EC dated 11/5/2003 is entitled "amendedcreditreportguidance." The EC dated 5/27/2005 is entitled "nslreturndateguidance." The Ec dated 6/29/2005 is entitled "nslfinaldeliveryserviceec." The NSL powerpoint is entitled "nsl.ppt."

thanks [REDACTED]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JE

NSL VIO-2520

6/5/2006

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

NSL VIO-2521

6/5/2006

(OGC) (FBI)From: (OGC) (FBI)

Sent: Friday, July 22, 2005 10:14 AM

To: HQ_DIV04_FBIHOME

Cc: (OGC) (FBI)

Subject: NSLB/OGC website update email number 3

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

There are links in the narrative to the following documents. The first four documents are attached here. My emails tend to get overloaded if I try to attach too many documents, so I am going to separate these documents into four emails.

1) Telephone Subscriber EC ✓2) Telephone Subscriber NSL ✓3) Toll Record EC ✓4) Toll Record NSL ✓5) E-Mail Subscriber EC6) E-Mail Subscriber NSL7) Transactional Record EC8) Transactional Record NSL9) RFPA EC10) RFPA NSL11) 1681u(a) EC12) 1681u(a) NSL13) 1681u(b) EC14) 1681u(b) NSL15) 1681v EC16) 1681v NSL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JB

SENSITIVE BUT UNCLASSIFIED

NSL VIO-2522

6/5/2006

(4 documents attached)
6/5/06

[REDACTED] (OGC) (FBI)

From: [REDACTED] (ITOD) (FBI)

Sent: Friday, July 22, 2005 12:17 PM

To: [REDACTED] (OGC) (FBI)

Cc: [REDACTED] (OGC) (OGA) [REDACTED] (OGC) (FBI)

Subject: RE: NSLB/OGC website update email number 3

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

done

-----Original Message-----

From: [REDACTED] (OGC) (FBI)

Sent: Friday, July 22, 2005 10:14 AM

To: HQ_DIV04_FBIHOME

Cc: [REDACTED] (OGC) (FBI)

Subject: NSLB/OGC website update email number 3

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

There are links in the narrative to the following documents. The first four documents are attached here. My emails tend to get overloaded if I try to attach too many documents, so I am going to separate these documents into four emails. [REDACTED]

- 1) Telephone Subscriber EC
- 2) Telephone Subscriber NSL
- 3) Toll Record EC
- 4) Toll Record NSL
- 5) E-Mail Subscriber EC
- 6) E-Mail Subscriber NSL
- 7) Transactional Record EC
- 8) Transactional Record NSL
- 9) RFPA EC
- 10) RFPA NSL
- 11) 1681u(a) EC
- 12) 1681u(a) NSL
- 13) 1681u(b) EC

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JE

6/5/2006

14) 1681u(b) NSL

15) 1681v EC

16) 1681v NSL

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

NSL VIO-2536

6/5/2006

[REDACTED]

(OGC) (FBI)

From: [REDACTED] (OGC) (FBI)

Sent: Friday, July 22, 2005 10:21 AM

To: HQ_DIV04_FBIHOME

Cc: [REDACTED] (OGC) (FBI)

Subject: NSLB/OGC website update email number 5

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

(4 documents attached
6/5/06

These are four more links -- number 5-8 on the list of documents in the NSL website narrative.

[REDACTED]

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JE

NSL VIO-2537

6/5/2006

[REDACTED] (OGC) (FBI)

From: [REDACTED] (ITOD) (FBI)

Sent: Friday, July 22, 2005 1:37 PM

To: [REDACTED] (OGC) (FBI)

Subject: RE: NSLB/OGC website update email number 5

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

ok - got it

-----Original Message-----

From: [REDACTED] (OGC) (FBI)

Sent: Friday, July 22, 2005 1:16 PM

To: [REDACTED] (ITOD) (FBI)

Subject: FW: NSLB/OGC website update email number 5

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

There is a mistake. The transactional record NSL did not come up on the link. Instead, the toll NSL comes up

-----Original Message-----

From: [REDACTED] (OGC) (FBI)

Sent: Friday, July 22, 2005 10:29 AM

To: HQ_DIV04_FBIHOME

Cc: [REDACTED] (OGC) (FBI)

Subject: FW: NSLB/OGC website update email number 5

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Obviously, I put in one document twice, accidentally. So ignore the fact of two "transactional record NSL" documents!

-----Original Message-----

From: [REDACTED] (OGC) (FBI)

Sent: Friday, July 22, 2005 10:21 AM

To: HQ_DIV04_FBIHOME

Cc: [REDACTED] (OGC) (FBI)

Subject: NSLB/OGC website update email number 5

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

These are four more links -- number 5-8 on the list of documents in the NSL website narrative.

[REDACTED]

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JB

NSL VIO-2550

6/5/2006

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

NSL VIO-2551

6/5/2006

[REDACTED] (OGC) (FBI)

From: [REDACTED] (ITOD) (FBI)

Sent: Friday, July 22, 2005 12:21 PM

To: [REDACTED] (OGC) (FBI)

Cc: [REDACTED] (OGC) (FBI) [REDACTED] (OGC) (OGA)

Subject: RE: NSLB/OGC website update email number 5

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

done (4 posted - you sent 2 copies of trans rec NSL)

-----Original Message-----

From: [REDACTED] (OGC) (FBI)

Sent: Friday, July 22, 2005 10:21 AM

To: HO_DIV04_FBIHOME

Cc: [REDACTED] (OGC) (FBI)

Subject: NSLB/OGC website update email number 5

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

These are four more links -- number 5-8 on the list of documents in the NSL website narrative.



SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65172 DMH/TAM/KSR/JE

NSL VIO-2552

6/5/2006

[redacted] (OGC) (FBI)

From: [redacted] (OGC) (FBI)

Sent: Friday, July 22, 2005 10:31 AM

To: HQ DIV04 FBIHOME

Cc: [redacted] (OGC) (FBI)

Subject: NSLB/OGC NSL website update new email number 6

(4 documents attached)
6/5/06
[redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Enclosed please find four more documents, listings 9-12.

[redacted]

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAN/KSR/JB

NSL VIO-2553

6/5/2006

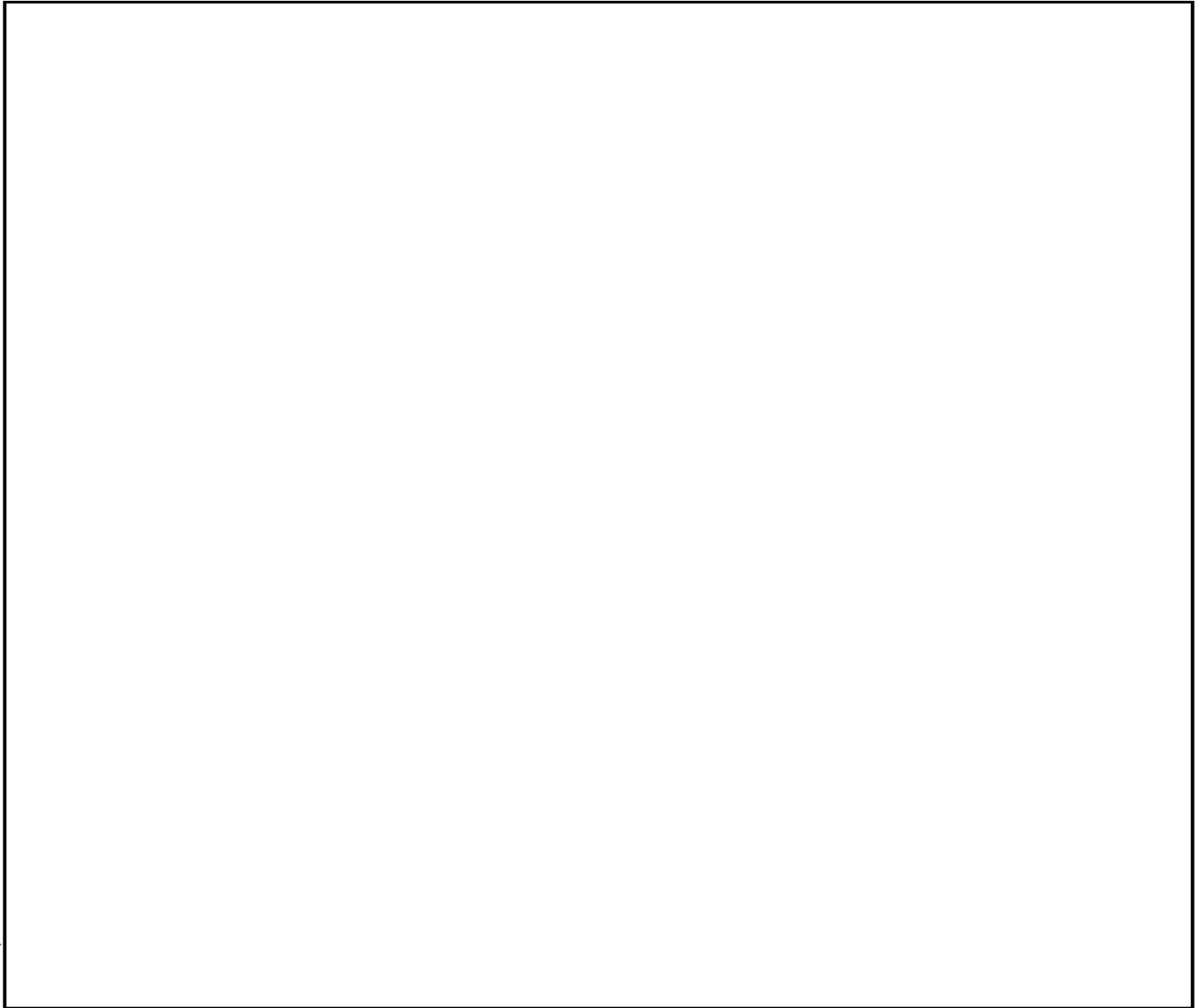
ATTACHMENT

In preparing your response to this National Security Letter, you should determine whether your company maintains the following types of information which may be considered by you to be a financial record in accordance Title 12, United States Code, Section 3401(2):

b2
b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSR/JB

b2
b7E



[REDACTED] (OGC) (FBI)

From: [REDACTED] (ITOD) (FBI)

Sent: Friday, July 22, 2005 12:25 PM

To: [REDACTED] (OGC) (FBI)

Cc: [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (OGA)

Subject: RE: NSLB/OGC NSL website update new email number 6

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

done

-----Original Message-----

From: [REDACTED] (OGC) (FBI)

Sent: Friday, July 22, 2005 10:31 AM

To: HQ DIV04 FBIHOME

Cc: [REDACTED] (OGC) (FBI)

Subject: NSLB/OGC NSL website update new email number 6

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Enclosed please find four more documents, listings 9-12.



SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-11-2007 BY 65179 DMH/TAM/KSP/JE

NSL VIO-2568

6/5/2006

